



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

VIA EMAIL – READ RECEIPT REQUESTED

December 30, 2021

Elizabeth Tillotson, Vice President
Granite Shore Schiller Power LLC
431 River Road
Bow, NH 033044
Elizabeth.tillotson@granitepower.com

Re: Reapplication Forms for NPDES Permit No. NH0001473

Dear Ms. Tillotson:

Your NPDES permit expires on **June 30, 2023**

Pursuant to 40 Code of Federal Regulations (CFR) Part 122.21(d), you must submit your new NPDES application forms to this office no later than one hundred and eighty (180) days prior to the expiration date of the current permit. Failure to do so could result in a lapse of permit coverage and potentially subject you to Clean Water Act enforcement. Your application is due by:

December 30, 2022

I. **FORMS REQUIRED**

NPDES application form(s) and webinars to assist you in completing your forms. are available at: <http://www.epa.gov/npdes/npdes-applications-and-forms>

As an existing facility, you are required to complete and sign **APPLICATION FORMS 2A AND 2S**.

The forms on the webpage may be directly typed into and saved to your computer. After you have downloaded and filled out the necessary application forms, sign, and return them to this EPA office not later than the application due date listed above. All application forms must be signed: for a corporation this is a responsible corporate officer; for a municipality it is either the principal executive officer or the highest ranking elected official. (See 40 CFR §122.22 for further information on signatory authority.) The signature must be an original, not electronic or photocopied.

II. Additional Application Requirements

A. Sufficiently Sensitive Analytical Test Methods Required for Form 2C:

On August 19, 2014 EPA published amendments to its CWA regulations known as “Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting.” This rule requires that NPDES permit applications use “sufficiently sensitive” EPA approved analytical test methods when completing NPDES permit applications. For applications, an EPA-approved method is sufficiently sensitive when the method minimum is at or below the applicable water criterion level (information on Massachusetts Water Quality Criteria is available at: <http://www.mass.gov/eea/agencies/massdep/water/regulations/314-cmr-4-00-mass-surface-water-quality-standards.html>); or the method minimum level is above the applicable water quality criterion, but the amount of the pollutants in a facility’s discharge is high enough such that it can be detected and quantified using the EPA-approved method. Also, in the case of an application for a permit renewal, such as yours, the method minimum level for the EPA-approved analytical test should be below any effluent limit in your current permit.

Data collected using methods which are not “sufficient sensitive” may result in an incomplete application. In such instances, EPA may require new screening data obtained using sufficiently sensitive EPA-approved analytical methods before making a completeness determination.

The attached document details the Minimum Level threshold that your testing must achieve for your application to be deemed complete. For the pollutants with “No specific ML” next to them, any ML will suffice, as long as the pollutant is tested with a Clean Water Act approved method (see 40 CFR Part 136, or 40 CFR chapter I, subchapter N or O). Please note, the units listed are all in µg/L, unless alternative units are next to the listed pollutant. If you have any questions, please contact Sharon DeMeo at demeo.sharon@epa.gov or 617-918-1995.

B. Coastal Zone Management (“CZM”) Consistency Certification:

You should be aware that since you discharge in New Hampshire’s coastal zone, under the provisions of the Coastal Zone Management Act, 16 U.S.C. §1451 et seq., and its implementing regulations, you must certify that your activities comply with the enforceable policies of the New Hampshire Coastal Program (NHCP) and will be conducted in a manner consistent with the NHCP. See 15 C.F.R. §930.57.

Therefore, you are required to submit a consistency certification along with supporting information to the NHCP, with a copy to EPA, which contains the following statement: The proposed activity complies with the enforceable policies of the New Hampshire Coastal Program and will be conducted in a manner consistent with such policies.” Supporting information includes, at a minimum, (1) a copy of your NPDES application; (2) a description of the activity and its relation to the coastal zone; and (3) an explanation of how the permitted activity is consistent with the NHCP’s enforceable policies. The EPA copy of your consistency certification (with supporting information attached) must be submitted with your NPDES application.

If a copy of your consistency certification and supporting information is not submitted to EPA with your NPDES application, your NPDES application may be deemed incomplete. Failure to provide a complete application may result in lapsed NPDES permit coverage, potentially exposing you to enforcement action(s) under the Clean Water Act.

It is recommended that applicants coordinate with the NHCP prior to submitting their consistency certification and supporting information. Further information about the federal consistency process in New Hampshire can be found in the NHCP's guide to Federal Consistency available on NHCP's website, <https://www.des.nh.gov/organization/divisions/water/wmb/coastal/documents/r-wd-19-28.pdf>, or may be obtained by contacting Christian Williams, Program Coordinator, New Hampshire Coastal Program, Pease Field Office, 222 International Drive, Suite 175, Portsmouth, NH 03801; (603) 559-0025 (phone) or christian.williams@des.nh.gov.

III. Application Determination

If your completed applications forms, the attachments and information required by the forms, are signed and received no later than the date specified on the first page of this letter, EPA will consider this a timely application under 40 CFR §122.6.

Upon receipt, EPA will review these materials and then notify you as to the status of your application (i.e. whether it is deemed complete, or if additional information is required).

IV. Address and Contact Information

Please submit your complete application to:

R1NPDESReporting@epa.gov

Please send your original signature to the address below.

If you are unable to electronically submit your application, please send completed application to:

USEPA
Water Division
5 Post Office Square – Suite 100 (06-1)
Boston, MA 02109-3912
Attention: Marian Spahn

Please be aware that the internet links referenced in this letter are current as of the date of this letter. If you encounter problems with any of the links provided, you do not have access to the internet in order to download these forms, or if you have any questions about the application

requirements, please contact Marian Spahn of my staff. She can be reached at (617) 918-1732 or spahn.marian@epa.gov.

Sincerely,

Michael Cobb, Acting Chief
Wastewater Section
Water Division

Enclosure

cc: NH Department of Environmental Protection